



General Assembly

January Session, 2005

Committee Bill No. 158

LCO No. 3221

03221SB00158BA_

Referred to Committee on Banks

Introduced by:
(BA)

**AN ACT CONCERNING DISCLOSURE OF CUSTOMER FINANCIAL
RECORDS BY A FINANCIAL INSTITUTION PURSUANT TO A
SUBPOENA.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Subsection (b) of section 36a-43 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2005*):

4 (b) A customer of a financial institution shall have standing to
5 challenge a subpoena of the customer's financial records, by filing an
6 application or motion to quash in a court of competent jurisdiction,
7 [within the ten-day notice period required by subsection (a) of this
8 section.] Upon the filing of such application or motion by the
9 customer, and service of such application or motion upon the financial
10 institution and the person issuing the subpoena, production of the
11 records shall be stayed, without liability to the financial institution,
12 until the court holds a hearing on the motion or application and an
13 order is entered sustaining, modifying or quashing the subpoena.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2005</i>	36a-43(b)
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Statement of Purpose:

To provide that a customer of a financial institution may challenge a subpoena of such customer's financial records at any time after the subpoena has been served upon the financial institution.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. MURPHY, 16th Dist.